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Attorney for the United States, Acting  
Under Authority Conferred by 28  
U.S.C. § 515

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Attorneys for Plaintiff

UNITED STATES DISTRICT COURT  
NORTHERN DISTRICT OF CALIFORNIA  
SAN FRANCISCO DIVISION

UNITED STATES OF AMERICA, )  
 )  
Plaintiff, )  
 )  
v. )  
 )  
BECKY CHRISTIAN, )  
 )  
Defendant. )  
 )

No. CR 08-0237 MHP

PARTIES' JOINT REQUEST TO CONTINUE  
SENTENCING DATE AND ~~PROPOSED~~  
ORDER

It is hereby stipulated by and between counsel for the United States, Assistant U.S. Attorney Kyle F. Waldinger, and counsel for defendant Becky Christian, Steven M. Bauer, that, subject to the Court's approval, the sentencing hearing presently set for October 18, 2010, be continued and set for a sentencing hearing on March 28, 2011, at 9:00 a.m. The United States has previously determined from reviewing the Court's publicly posted scheduling information that the Court is currently available for a hearing on that date. The assigned probation officer, Constance Cook, also has been consulted by counsel for the United States with respect to this date, and she has indicated that she is available on that date.

The defendant Becky Christian pled guilty pursuant to a plea agreement on July 24, 2008, to one count of conspiracy to misappropriate, receive, possess, and transmit trade secrets, gain

1 unauthorized access to a protected computer, exceed authorized access to a protected computer,  
2 and traffic in a password allowing unauthorized access to a protected computer. The case was  
3 referred to the Probation Office for a presentence report. The plea agreement also includes  
4 standard terms of cooperation.

5 In light of continuing cooperation under the terms of the plea agreement, the parties  
6 jointly request that the sentencing status hearing on October 18, 2010, be continued for a  
7 sentencing hearing on March 28, 2011. Additional time is needed for the defendant to complete  
8 her cooperation with the government. Specifically, charges have now been filed against an  
9 alleged co-conspirator of the defendant, David Nosal. The Nosal case is numbered CR 08-0237  
10 MHP. The United States has filed a notice of appeal in the Nosal case, and the case will not  
11 proceed to trial until that appeal is resolved. The defendant Christian is expected to testify in that  
12 trial. Because Ms. Christian will be required to testify at trial, her cooperation with the  
13 government's investigation is not yet complete.

14 For all of these reasons, the parties jointly request that this Court vacate the sentencing  
15 hearing presently set for October 18, 2010, and set a sentencing hearing for March 28, 2011, at  
16 9:00 a.m. In addition, the parties jointly request that the due dates for the presentence report be  
17 calculated using the new sentencing date.

18 SO STIPULATED.

19 Dated: September 22, 2010

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22 /s/  
23 KYLE F. WALDINGER  
Assistant United States Attorney

24  
25 SO STIPULATED.

26 Dated: September 22, 2010

27 /s/  
STEVEN M. BAUER  
Attorney for defendant Becky Christian

**[PROPOSED] O R D E R**

GOOD CAUSE APPEARING,

IT IS ORDERED that the sentencing status hearing presently set for October 18, 2010, be continued to March 28, 2011, at 9:00 a.m. The final presentence report should be disclosed two weeks prior to the sentencing date.

Dated this 23rd day of September, 2010

